

Notice of Allowability	Application No.	Applicant(s)	
	10/820,902	GRAEF ET AL.	
	Examiner	Art Unit	
	Daniel A. Hess	2876	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--
All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/12/05 interview with applicant's representative.
2. ☒ The allowed claim(s) is/are 17-34.
3. ☒ The drawings filed on 4/7/04 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION / ALLOWANCE

This action is in response to 8/12/2005 conversation with applicant's representative, Mr. Daniel Wasil.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Daniel Wasil on 8/12/2005.

IN THE CLAIMS:

1-16. (canceled)

17. (original) An automated banking machine apparatus comprising:

at least one input device adapted to receive inputs identifying at least one of machine users and financial accounts;

at least one output device adapted to communicate with machine users;

at least one note handling mechanism;

at least one controller in operative connection with the at least one input device, at least one output device, and at least one note handling mechanism;

wherein the at least one note handling mechanism includes at least one picking member, at least one stripper member and at least one sensor, wherein the at least one note handling mechanism is generally operative responsive to the at least one controller to pick notes generally one at a time from a stack through movement of the picking member in a first direction, and wherein responsive to sensing multiple notes having been picked from the stack by the at least one sensor, the at least one controller is operative to cause the at least one picking member and at least one stripper member to move the multiple notes in a second direction opposed of the first direction, wherein a first note of the multiple notes engaged with the at least one stripper member is moved in the second direction a distance greater than a second note of the multiple notes engaged with the picking member.

18. (original) The apparatus according to claim 17 and further comprising:

at least one moving member in supporting connection with the stack, wherein the at least one moving member is operative to engage the second note of the multiple notes, wherein the multiple notes are moved in the second direction.

19. (original) The apparatus according to claim 18 wherein the at least one moving member moves the second note in the second direction a distance less than the first note.

20. (currently amended) The apparatus according to claim 17 wherein the ~~second~~ first note is urged to move in the second direction relatively faster than the ~~first~~ second note.

21. (original) The apparatus according to claim 20 wherein both the first and second notes are moved in the second direction simultaneously.

22. (currently amended) The apparatus according to claim ~~17~~ 20 wherein the second note is held stationary while the first note is moved in the second direction.

23. (original) The apparatus according to claim 18 and further comprising a gate and a chute, wherein the gate is operative responsive to the at least one controller to control access to the chute, and wherein the at least one moving member is positioned adjacent to a lower end of the chute, and wherein the stack of notes is positioned in the chute.

24. (original) The apparatus according to claim 23 and further comprising at least one validator, wherein notes from the stack are moved adjacent to the at least one validator, and further comprising a first storage area in the machine, wherein notes determined as valid through operation of the at least one validator are stored in the first storage area.

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25. (original) The apparatus according to claim 24 and further comprising a note dispenser operative responsive to the at least one controller to dispense notes.

26. (original) The apparatus according to claim 25 wherein notes dispensed by the note dispenser are dispensed from the first storage area.

27. (currently amended) An automated banking machine apparatus comprising:

at least one picking member, at least one stripper member, at least one sensor and at least one controller, wherein the at least one picking member and at least one stripper member are generally operative to move notes sheets generally one at a time from a stack, wherein a first note bounding the stack is generally moved from the stack in a first direction, and wherein responsive to the at least one sensor sensing multiple notes picked from the stack, the at least one controller is operative to cause the at least one picking member and at least one stripper member to move the multiple notes in a second direction opposed of the first direction and to move at least one of the multiple notes in the second direction relative to the first note.

28. (original) The apparatus according to claim 27 wherein the at least one stripper member comprises at least one contact stripper roll and at least one non-contact stripper roll.

29. (original) The apparatus according to claim 27 and further comprising at least one chute adapted to receive at least one stack of notes from users of the apparatus, wherein notes are picked from the stack.

30. (original) The apparatus according to claim 29 and further comprising at least one validator, at least one first area and at least one second area, wherein the at least one controller is operative to direct notes determined as valid through operation of the at least one validator to the first area, and other notes not determined as valid through operation of the at least on validator, to the second area.
31. (currently amended) The apparatus according to claim 29 and further comprising at least one moving member positioned in the chute, wherein the at least one moving member is operative to urge the first note sheet in the first direction as the first note sheet is moved in the first direction responsive to movement of the picking member.
32. (currently amended) The apparatus according to claim 31 wherein the at least one moving member is operative to urge the first note sheet to move in the second direction as the first note sheet is moved in the second direction by the at least one picking member.
33. (currently amended) The apparatus according to claim ~~27~~ 32, wherein the at least one stripper member is operative to move at least one of the multiple notes in the second direction at a faster rate than a at least one picking member moves the first note in the second direction.
34. (currently amended) The apparatus according to claim ~~27~~ 32 wherein the at least one stripper member is operative to move the at least one of the multiple notes sheets in the a second direction for a longer period of time than at least one the picking member moves the first note sheet in the second direction.

Allowable Subject Matter

Claims 17-34 are allowed.

The following is an examiner's statement of reasons for allowance: Each of the independent claims teaches or implies that upon sensing that multiple notes have been picked, the picking means (which is in contact with the first bill of the multiple bills) and the stripping means (which is in contact with another bill on the opposite side of the stack) *both* move back toward the stack, but that the stripping means moves faster so that the extra bills are pulled away from the primary bill even as all of the bills are moved back. (In the case of claim 4, forward movement of the picker stops, while waiting for the stripper to remove excess bills.)

This is embodied in the applicant's specification (paragraph 23):

“Alternatively, both the picking member and one or both stripping members may move the multiple overlapping sheets back toward the stack, **but with the stripping members moving so as to drive the overlying sheets at a faster rate, and thus a greater distance.** “

Prior art teaches more simplistic approaches to solve the above problem. Much of this has been discussed already in the first action in this case. Additional art not already cited includes:

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Graef et al. (US 20030201318) in which upon sensing multiple notes, the entire stack is moved together back to the stack for a second attempt.

[0154] The transaction flow associated with the sensing of doubles and efforts to strip the top sheet are represented in FIG. 65. In a step 196 a determination is made as to whether a double has been sensed during the unstack routine. If so, the step associated with lowering the stack 198 is executed. The pick belts are moved in reverse in a step 200 to pull the doubles back into the stack and the stack is then raised at a step 202. As previously discussed, the unstack routine is then started again.

Hain (US 4,936,564) teaches (column 10, lines 3-10) that if multiple notes are detected at once, they will be dumped into a 'purge bin.'

If for any reason it is determined that the stack of notes 72 accumulated against the stationary belts 96 is to be rejected, for example as a result of the multiple note detect mechanism 234 having detected in the course of the stacking operation that two or more notes have been picked in a single pick operation, then the stack of notes 72 will be fed to the purge bin 112 in a manner which will now be described.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

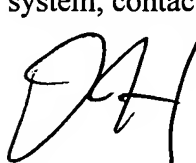
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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel A. Hess whose telephone number is (571) 272-2392. The examiner can normally be reached on 8:00 AM - 5:00 PM M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



DH
8/19/2005

**DANIEL STCYR
PRIMARY EXAMINER**

